

MAR Notice No. 2-13-566 – Presiding Officer's Report
January 12, 2018

An administrative rule hearing was held at 11:00 a.m. in Room 7 of the Mitchell Building at 125 N. Roberts St., Helena, Montana on January 12, 2018 regarding MAR Notice No. 2-13-566 regarding Public Safety Answering Point certification, funding, and monitoring. Three persons testified during the hearing on behalf of their organizations.

NEW RULE I – DEFINITIONS

No comments received during the hearing.

NEW RULE II – PSAP CERTIFICATION

No comments received during the hearing.

NEW RULE III – APPLICATION FOR CERTIFICATION

Comment #1: A discrepancy was noted between the language in the PSAP Certification Form posted on the department's website and the wording of New Rule III. The Certification Form appears to require submission of an interlocal agreement with every application, while the rule requires submission of an agreement only when multiple local government entities or a local government entity and a tribal government are participating together in certified PSAP.

Comment #2: The department was asked to consider broadening the forms of acceptable documentation of agreements among local government entities beyond the interlocal agreements required by the original proposal. The commenter noted that less formality may benefit jurisdictions that do not have the resources to put together more formal interlocal agreements as part of the PSAP certification process.

Comment #3: Some commenters requested clarification that New Rule III allows local government entities to submit agreements with a duration exceeding the two-year certification period for a certified PSAP.

Comment #4: The department was asked to extend the PSAP certification period for more than two years. The commenter noted that developing 9-1-1 infrastructure and cooperation between jurisdictions may require a longer timeframe.

NEW RULE IV – CERTIFICATION PROCESS

No comments received during the hearing.

NEW RULE V – DECERTIFICATION AND FUNDING REDUCTION

No comments received during the hearing.

NEW RULE VI – ALLOCATION OF FUNDS

No comments received during the hearing.

NEW RULE VII – ALLOWABLE USES OF FUNDS

Comment #5: The department received comments addressing use of funds from the 9-1-1 systems account for operating expenses.

NEW RULE VIII – REPORTING, MONITORING, AND RECORDKEEPING

No comments received during the hearing.

General Comments

Comment #6: A commenter urged the department to proceed with adoption of rules to implement 10-4-306, MCA, pertaining to the 9-1-1 grant program, to allow grants to be distributed beginning July 1, 2018 as required by statute.

Comment #7: A commenter encouraged the department to be consistent in including language addressing the statewide 9-1-1 plan in this rulemaking as well as in the rules implementing the grant program described in 10-4-306, MCA.

Comment #8: A commenter noted the importance of engaging in rulemaking when making changes to a document that is adopted and incorporated by reference.

Comment #9: A commenter thanked the department for its effort to explain the rationale underlying the proposed rules.